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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,095	04/02/2004	Sung-Oh Hwang	678-1431	2126

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EXAMINER
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NGUYEN, HUY D

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/817,095	<b>Applicant(s)</b> HWANG ET AL.	
	<b>Examiner</b> Huy D. Nguyen	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s): \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6 and 9 is/are rejected.
- 7) ☒ Claim(s) 3,4,7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 1/23/2006 have been fully considered but they are not persuasive.

In the remarks filed 1/23/2006, the applicants submitted that Willenegger specifically teaches that only broadcast service can be received when the UE's cannot be paged. The examiner directs the applicants to paragraph [0076] where Willenegger teaches that in combination 1, only broadcast service is supported on the carrier, and the UEs are able to receive the broadcast service without registering with the system. The fact that only broadcast service is supported on the carrier and the UEs are able to receive the broadcast service without registering with the system has nothing to do with whether or not the UEs can be paged. The UEs cannot be paged is the consequence of not registering with the system.

The applicants also submitted that claim 1 includes the recitation of checking individual paging indicator channels of the at least one UE, and determining whether there exists a paging signal associated with the broadcast service. The examiner directs the applicants to paragraph [0245] where the above limitations are taught. Specifically, "The UE obtains the AS and NAS MBMS control information from a common MBMS control channel. This control information informs the UE what services are available, the physical channels on which the services are transmitted, and the parameters for each logical and physical channel used for these services" reads on "checking individual paging indicator channels of the at least one UE, and determining whether there exists a paging signal associated with the broadcast service".

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 5-6, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Willenegger et al. (US 2003/0207696 A1).

Regarding claims 1 and 5, Willenegger et al. teaches a method for receiving control information of a specific broadcast service at UE (User Equipment) in a mobile communication system including at least one UE (see the Abstract), a plurality of cells containing the at least one UE, and a RNC (Radio Network Controller) (see paragraph [0043]) for managing at least one of the plurality of cells and providing other broadcast services via the plurality of cells, comprising the steps of:

a) checking individual paging indicator channels of the at least one UE, and determining whether there exists a paging signal associated with the broadcast service (see paragraph [0083]);

b) if the paging signal associated with the broadcast service is detected, receiving the paging signal (see paragraph [0083]);

c) identifying paging information including ID (MBMS Identifier) information (e.g., the control information informs the UE what services are available, the physical channels on which the services are transmitted – see [0245]) allocated to differentiate between the specific broadcast service and the other broadcast services and a paging response indicator (e.g., the UE may also

Art Unit: 2681

simply signal that it is starting to receive certain services – [0245]) for determining a transmission channel scheme associated with the specific broadcast service (see paragraphs [0125] to [0132]); and

d) based on the paging response indicator, establishing a connection set-up between the at least one UE and the RNC (see paragraphs [0245] to [0247]).

Regarding claims 2, 6, Willenegger et al. teaches the method as set forth in claim 1, wherein the at least one UE transmits a radio link control connection request message to the RNC when the paging response indicator associated with the broadcast service is set to an ON value (e.g., obtaining the AS and NAS MBMS control information) (see paragraph [0245], [0247]).

Regarding claim 9, Willenegger et al. teaches the method as set forth in claim 5, wherein the RNC time-division-processes the paging information associated with the predetermined broadcast service and the control information associated with the predetermined broadcast service, and transmits the time-division results to the at least one UE over an MCCH (Multimedia Broadcasting/Multicast Service (MBMS) Control CHannel) (see [0026]).

#### ***Allowable Subject Matter***

4. Claims 3-4, 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 3 and 7, the closest prior arts, Willenegger et al. (US 2003/0207696 A1) and Paratainen et al. (U.S. Patent No. 6,795,419), either singularly or in combination, fail to

Art Unit: 2681

teach the method as set forth in claim 1, wherein the RNC receives response messages from the at least one UE, depending on the paging response indicator, and establishes a DCCH (Dedicated Control Channel) connection mode when a number of the at least one UE that transmitted the response messages is less than a predetermined value.

Regarding claims 4 and 8, the closest prior arts, Willenegger et al. (US 2003/0207696 A1) and Paratainen et al. (U.S. Patent No. 6,795,419), either singularly or in combination, fail to teach the method as set forth in claim 1, wherein the RNC receives the response messages, and establishes an MCCH (Multimedia Broadcasting/Multicast Service (MBMS) Control CHannel) connection mode when a number of the at least one UE that transmitted the response messages is higher than a predetermined value.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2681

***Contact Information***


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen

  
**ERIKA A. GARY**  
**PRIMARY EXAMINER**